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11 THOMAS and AT EMERALD, LLC

ELECTRONICALLY FILED
July 30, 2014

12 UNITED STATES BANKRUPTCY COURT
13 DISTRICT OF NEVADA

14 —ooOoo—

15 In Re:
16 ANTHONY THOMAS and
17 WENDI THOMAS,

Case No. BK-N-14-50333-BTB
Case No. BK-N-14-50331-BTB
Chapter 11 Cases

[Jointly Administered]

18 AT EMERALD, LLC,
19 Debtors.

**DECLARATION OF ANTHONY
THOMAS IN SUPPORT OF
OPPOSITION TO MOTION TO
COMPEL PRODUCTION OF
REQUIRED KEY OR AUTHORIZE
DRILL OUT OF VAULT LOCK AND
REQUEST FOR RECONSIDERATION
OF ORDER GRANTING EX PARTE
MOTION FOR ORDER REQUIRING
THE PERSON MOST
KNOWLEDGEABLE OF THE
SARASOTA VAULT TO APPEAR FOR
EXAMINATION AND TO PERMIT
INSPECTION OF TANGIBLE THINGS
PURSUANT TO FED. R. BANKR. P.
2004**

Hearing Date: July 30, 2014
Hearing Time: 10:00 a.m.

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22
23
24
25 _____ /
26 I, ANTHONY THOMAS, being first duly sworn, declare and say under penalty of
27 perjury as follows:

28 1. I am over the age of 18 years of age, and I am mentally competent. I am the

1 managing member of AT Emerald, LLC (the "Debtor"). I have authority to enter into
2 agreements on behalf of AT Emerald, LLC.

3 2. Except as otherwise indicated, all facts set forth in this declaration are based
4 upon my personal knowledge. If called upon to testify as to the contents of this declaration,
5 I could and would do so.

6 3. The Debtor is the owner of a 23 kilogram black schist stone including green
7 crystal beryl (the "Emerald").

8 4. The Debtor filed its bankruptcy petition on March 4, 2014 (the "Petition
9 Date").

10 5. On June 23, 2014, the Debtor filed its Motion to Sell Assets Free and Clear of
11 Liens and Motion to File Purchase and Sale Agreement Under Seal [DE 83] (the "Sale
12 Motion").

13 6. On July 23, 2014, the Order Approving Motion to Sell Assets Free and Clear
14 of Liens [DE 142] was entered (the "Order Approving Sale").

15 7. Debtor's Emerald is not insured. Because of the stone's unique nature and high
16 value, it has been difficult and cost prohibitive to obtain insurance on the Emerald.
17 Accordingly, because the Emerald is uninsured it is imperative that it not be handled by
18 anyone. Further, great care should be taken to preserve the contiguous nature of the Emerald
19 so as to preserve its value. The Court should not permit anyone to touch or handle the
20 Emerald, or to do anything that may impair the Emerald's value. The Court should also take
21 great care in restricting access to the Emerald to only those parties and people absolutely
22 necessary and approved by the court to view the Emerald.

23 8. The Debtor has entered into a purchase and sale agreement to sell the Emerald
24 which has been approved by the Court. After the hearing on the Sale Motion, the Purchaser
25 viewed the Emerald and approved the Emerald's appearance. The Purchaser has requested
26 that no one be permitted to access the vault so as to ensure that the Emerald is in the same
27 condition as the Purchaser left it. Accordingly, it is imperative that for purposes of
28 consummating the sale that the Order On Motion For Inspection be reconsidered and denied.

DATED this 29th day of July, 2014.

Anthony Thomas
ANTHONY THOMAS